

AN ORDINANCE BY

CITY UTILITIES COMMITTEE

00- 0-1475

AN ORDINANCE TO ABANDON WILKENS LANE S.W. FROM CUSHMAN CIRCLE S.W. TO SCOTT STREET S.W. AND TO ABANDON SCOTT STREET S.W. FROM IT'S INTERSECTION WITH WILKENS LANE S.W. TO A POINT APPROXIMATELY 502 FEET FROM THE INTERSECTION OF SCOTT STREET S.W. WITH BROWNLEE ROAD S.W. LYING AND BEING IN LAND LOTS 236, 237, AND 245 OF DISTRICT 14, FULTON COUNTY, GEORGIA AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has received a petition from the abutting property owner to abandon Wilkens Lane S.W. from Cushman Circle S.W. to Scott Street S.W. and to abandon Scott Street S.W. from it's intersection with Wilkens Lane S.W. to a point approximately 502 feet from the intersection of Scott Street S.W. with Brownlee Road S.W. lying and being in Land Lots 236, 237, and 245 of District 14; and

WHEREAS, the abutting property owner has met the requirements of Section 138-5 of the Code of Ordinances of the City of Atlanta; and

WHEREAS, the abandoned rights-of-way shall become part of the abutting owner's private property and their responsibility to maintain.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1: An abutting property owner has petitioned for a street abandonment of Wilkens Lane S.W. from Cushman Circle S.W. to Scott Street S.W. and to abandon Scott Street S.W. from it's intersection with Wilkens Lane S.W. to a point approximately 502 feet from the intersection of Scott Street S.W. with Brownlee Road S.W. and has paid a fee of 2,500 dollars as specified by Section 138-5(a)(v) of the Code of Ordinances of the City of Atlanta.

SECTION 2: That the petitioner for the street abandonment has met all of the requirements of Section 138-5 of the Code of Ordinances of the City of Atlanta.

SECTION 3: That Wilkens Lane S.W. from Cushman Circle S.W. to Scott Street S.W. and Scott Street S.W. from it's intersection with Wilkens Lane S.W. to a point approximately 502 feet from the intersection of Scott Street S.W. with Brownlee Road S.W. lying and being in Land Lots 236, 237, and 245 of District 14 of Fulton County, as shown on the attached Exhibit "A", are hereby declared no longer useful or necessary for the public's use and convenience.

**SECTION 4:** That the City of Atlanta hereby abandons the aforementioned streets.

**SECTION 5:** That any and all reservations for existing public or private utility easements shall remain in effect for the purpose of entering the property to operate, maintain, or replace said utility facilities. These easements shall remain in effect until such time that said utilities are abandoned, removed, or relocated, at which time, said easements shall expire.

**SECTION 6:** That the petitioner has agreed to the following conditions; that the security gates shall have a 24 hour security guard 7 days a week; that a 20 foot clear fire lane must be maintained for the entire length of Wilkens Lane and Scott Street; that a walk through gate must be maintained for access to the fire hydrant on Brownlee Road near Boulder Park Drive; and that current keys to all security gates shall be provided to the Atlanta Fire Department.

**SECTION 7:** That all costs associated with the appraisal report shall be charged to and paid from Account Number 1A01 524001 G55001.

**SECTION 8:** That the Mayor is hereby authorized to execute a quitclaim deed for said streets upon receipt of payment in the amount of the appraised value.

**SECTION 9:** That all funds received in excess of the cost of advertising and appraisal shall be allocated to the construction of sidewalks in the City of Atlanta. Account No. 3P02 491102 M22F03349999.

**SECTION 10:** That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

**DEPARTMENT OF PUBLIC WORKS**

**CITY OF ATLANTA**

**AGENDA "A"**

**SEPTEMBER 26, 2000**

**Matters from the Solid Waste and Transportation Services and Management Services Office:**

- 1. An Ordinance to abandon Wilkens Lane, SW, from Cushman Circle, SW, to Scott Street, SW, and to abandon Scott Street, SW, from its Intersection with Wilkens Lane, SW, to a point approximately 502 Feet from the Intersection of Scott Street, SW with Brownlee Road, SW, lying and being in Land Lots 236, 237, and 245 of District 14, Fulton County. Georgia and for other purposes.**
- 2. A Resolution authorizing the Mayor or his Designee to install a sewer connection to serve property located at 2231 Campbell Road, SW, as requested by the property owner – Council District 11.**
- 3. A Resolution authorizing the Mayor or his Designee to install a sewer connection to serve property located at 265 Ponce de Leon Avenue, NE, as requested by the property owner – Council District 6.**

TRANSMITTAL FORM FOR LEGISLATION

To: Gregory Pridgeon, Mayor's Office

From: Department of Public Works

Contact (Name): HERBERT HOLMES-6768

Commissioner's Signature: *[Signature]*

Director's Signature *[Signature]*

Committee(s) of Purview: C.U.C.

Committee Deadline: 9/15/00

Committee Meeting Date(s): 9/26/00

City Council Meeting Date: 10/02/00

**CAPTION:** AN ORDINANCE TO ABANDON WILKENS LANE S.W. FROM CUSHMAN CIRCLE S.W. TO SCOTT STREET S.W. AND TO ABANDON SCOTT STREET S.W. FROM IT'S INTERSECTION WITH WILKENS LANE S.W. TO A POINT APPROXIMATELY 502 FEET FROM THE INTERSECTION OF SCOTT STREET S.W. WITH BROWNLEE ROAD S.W. LYING AND BEING IN LAND LOTS 236, 237, AND 245 OF DISTRICT 14, FULTON COUNTY, GEORGIA AND FOR OTHER PURPOSES.

**BACKGROUND/PURPOSE/DISCUSSION:** The petitioner has requested the abandonment of the above named streets. The petitioner has met all the requirements of Section 138-5 of the Code of Ordinances of the City of Atlanta.

**FINANCIAL IMPACT (if any):** NA

Mayor's Staff Only

Received by Mayor's Office 9/14/00 Reviewed by: *[Signature]* 9/15/00  
(Date) (Initials) (Date)

Submitted to Council \_\_\_\_\_  
(Date)

Action by Committee: Approved \_\_\_\_\_ Adversed \_\_\_\_\_ Held \_\_\_\_\_ Amended \_\_\_\_\_  
Substitute \_\_\_\_\_ Referred \_\_\_\_\_ Other \_\_\_\_\_